


CHARTER COMMUNICATIONS, INC.,)
)
 Plaintiff,)
)
 vs.) **Case No. 4:04-cv-00333 SNL**
)
 JAMES H. (“TREY”) SMITH, III,)
)
 Defendant.)

As per this Court's order dated October 25, 2005, Charter Communications is required to indemnify James Smith for all reasonable attorney's fees and costs incurred in defending a class action lawsuit and in defending wire fraud charges. Charter disputes the reasonableness of the attorney's fees incurred by Smith. To prove that the fees were not excessive, Smith sought information from Charter as to the amount the corporation spent defending itself in the class action and grand jury investigation. Charter refused, stating that the information was not relevant. This is before the Court on Defendant's Motion to Compel (#89), filed October 10, 2005.

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion to Compel (#89) is **DENIED**.

Dated this 8th day of December, 2005.

A handwritten signature in dark ink, reading "Stephen T. Limbaugh". The signature is written in a cursive style with a horizontal line crossing through the middle of the name.

UNITED STATES SENIOR DISTRICT JUDGE